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   CALIFORNIA PACIFIC LABS, INC.
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                      UNITED STATES DISTRICT COURT
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                 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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                            SAN JOSE DIVISION
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   CALIFORNIA PACIFIC LABS, INC.,
                                     Case No.: C 02-01418 JF
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   a California corporation
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                                     DECLARATION OF RON NAJAFI,
              Plaintiff,
                                     Ph.D. IN OPPOSITION TO
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                                     DEFENDANTS' MOTION TO STRIKE
        vs.
                                     AND IN SUPPORT OF PLAINTIFF'S
                                     MOTIONS FOR CONTINUANCE AND
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   NALGE NUNC INTERNATIONAL
                                     SANCTIONS
   CORPORATION, a Delaware
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   Corporation; and APOGENT
                                     Date:
                                             September 16, 2002
   TECHNOLOGIES, Inc.
                                     Time:
                                              9:00 a.m.
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                                     Place:
                                             Courtroom 3
             Defendants
                                     Before: Hon. Jeremy Fogel
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   I, Ron Najafi, hereby declare as follows:
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   1. I am the President of California Pacific Labs, Inc., the
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   plaintiff in this action. I am competent to testify to the
   facts herein, and if called upon will do so.
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        I had to fire Christina Johnson as my attorney because her
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   personal problems were clearly compromising CAL LABS'
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   representation. Apparently, the problems with her ankle caused
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   her to take medications that affected her judgment. The whole
   thing came to a head on August 14, 2002 when I learned that she
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could not file my declaration and other reply papers in time for the filing deadline for a number of unacceptable reasons, such as the fumigation of her combination studio apartment/office for fleas.

- 3. On Tuesday, August 27, 2002, as soon as possible after the hearing on her motion to withdraw, I sent a letter to Christina L. Johnson by Airborne Express overnight delivery. Ms. Johnson was California Pacific Labs' former attorney who withdrew from the case the day before for reasons that I do not know or understand. In my letter, I formally requested that she immediately send me all of California Pacific Labs' "papers and property" as the term is defined in California Rule of Professional Conduct 3-700(D). According to the tracking information at the Airborne Express web site, the letter was delivered at 10:17 a.m. on August 28, 2002. To date, I have received nothing and have not heard from her in any way, and she claims she did not receive the letter.
- 4. On Friday, August 30, 2002 at around 11:00 a.m., the Motion to Strike papers from Nalge's attorneys were delivered to me at my office in Novato.
- 5. I now have an understanding why Judge Fogel was so insistent that I say nothing at the August 26, 2002 hearing, because I had no idea how disadvantaged I was to have Christina Johnson withdraw as my lawyer and to have a new lawyer take up the case. Had I known, I never would have agreed to a new hearing date of September 16, 2002.

I swear under penalty of perjury under the laws of the State of California that the foregoing is true and correct and of my own personal knowledge. **Dated:** Sept. 9, 2002 s/ Ron Najafi Ron Najafi 

